PATENT Case No. MC064

ED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Yves Leblanc,	Claude Dufresne,	Patrick Roy

Serial No. 10/532,633

Filed: April 25, 2005

For PYRIDOPYRROLIZINE AND PYRIDOINDOLIZINE

DERIVATIVES

Art Unit:	<u> 1614 </u>		
Examiner	:		

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 'v.',

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

142 MS Date 12/14/2005

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R₁ 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE	
		 	
		<u> </u>	

6. In accordance with 37 C.F.R. 1.97, (check one) the attached information is filed within three months of the filing date of the captioned case. the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits. the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114. the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p). each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement. no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: Mollie M. Yang

Attorney For Applicant(s)

Reg. No. 32,718

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Date: December 14, 2005

S	Substitute for form 1449A/PTO			COMPLETE IF KNOWN			
I	NFORMATION	DIS	CLOSURE	Application Number	MC064YP		
				Filing Date	April 25, 2005		
3	TATEMENT 3	AP	PLICANI	First Named Inventor	Yves Leblanc, et al.		
	DEC 19 7005		,	Group Art Unit	1614		
	Myse as many streets	as n	ecessary)	Examiner Name			
Sheet	1	of	1	Attorney Docket Number	мС064ҮР		

U.S. PATENT DOCUMENTS							
Cite No.	U.S. Patent Document Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY			
	US 5,128,364		Yves Girard, et al.	07/07/1992			
	US 4,808,608		Yvan Guindon, et al.	02/28/1989			
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		U.S. Patent Document Number US 5,128,364	U.S. Patent Document Kind Code (if known) U.S. 5,128,364	Cite Number Kind Code (if known) US 5,128,364 Vyes Girard, et al. US 4,808,608 Yvan Guindon, et al.			

	FOREIGN PATENT DOCUMENTS							
	G:	Foreign Patent Document				Date of Publication of		
	Cite No.	Office Number		Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY		
/RD/		EP	0 441 517 A2		Pfizer, Inc.	01/29/1991		
/RD/		EP	0 166 591 A2		Merck Frosst Canada, Inc.	06/24/1985		
/RD/		PCT	WO 98/25919		Shionogi & Co., Ltd.	06/18/1998		
/RD/		PCT	WO 99/62555		Shionogi & Co., Ltd.	12/09/1999		
/RD/		PCT	WO 02/094830		Merck Frosst Canada & Co., et al.	11/28/2002		
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Examiner Signature /Rita Desai/ Date Considered 06/16/2008

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.